

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



Wisconsin Department of Safety and Professional Services Access to the Public Records of the Reports of Decisions

This Reports of Decisions document was retrieved from the Wisconsin Department of Department of Safety and Professional Services website. These records are open to public view under Wisconsin's Open Records law, sections 19.31-19.39 Wisconsin Statutes.

Please read this agreement prior to viewing the Decision:

- The Reports of Decisions is designed to contain copies of all orders issued by credentialing authorities within the Department of Safety and Professional Services from November, 1998 to the present. In addition, many but not all orders for the time period between 1977 and November, 1998 are posted. Not all orders issued by a credentialing authority constitute a formal disciplinary action.
- Reports of Decisions contains information as it exists at a specific point in time in the Department of Safety and Professional Services data base. Because this data base changes constantly, the Department is not responsible for subsequent entries that update, correct or delete data. The Department is not responsible for notifying prior requesters of updates, modifications, corrections or deletions. All users have the responsibility to determine whether information obtained from this site is still accurate, current and complete.
- There may be discrepancies between the online copies and the original document. Original documents should be consulted as the definitive representation of the order's content. Copies of original orders may be obtained by mailing requests to the Department of Safety and Professional Services, PO Box 8935, Madison, WI 53708-8935. The Department charges copying fees. *All requests must cite the case number, the date of the order, and respondent's name as it appears on the order.*
- Reported decisions may have an appeal pending, and discipline may be stayed during the appeal. Information about the current status of a credential issued by the Department of Safety and Professional Services is shown on the Department's Web Site under "License Lookup."
The status of an appeal may be found on court access websites at:
<http://ccap.courts.state.wi.us/InternetCourtAccess> and <http://www.courts.state.wi.us/wsccl>.
- Records not open to public inspection by statute are not contained on this website.

By viewing this document, you have read the above and agree to the use of the Reports of Decisions subject to the above terms, and that you understand the limitations of this on-line database.

Correcting information on the DSPS website: An individual who believes that information on the website is inaccurate may contact the webmaster at web@drl.state.wi.gov

STATE OF WISCONSIN
BEFORE THE FUNERAL DIRECTORS EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
JOHN K. KRUEGER AND	:	
KRUEGER FAMILY FUNERAL HOME,	:	
RESPONDENTS.	:	ORDER 0001425

Division of Enforcement Case No. 11 FDR 003

The parties to this action for the purpose of Wis. Stat. § 227.53 are:

John K. Krueger
101 N. 2nd St.
Tomahawk, WI 54487

Krueger Family Funeral Home
101 N. 2nd St.
Tomahawk, WI 54487

Wisconsin Funeral Directors Examining Board
P.O. Box 8935
Madison, WI 53708-8935

Division of Enforcement
Department of Safety and Professional Services
P.O. Box 8935
Madison, WI 53708-8935

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Wisconsin Funeral Directors Examining Board (Board). The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent John K. Krueger (dob 12/01/1956) is licensed in the State of Wisconsin as a Funeral Director, having license number 77-4297, first issued on 01/04/1978 and current through 12/14/2013. Mr. Krueger's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 101 N. 2nd St., Tomahawk, WI 54487.

2. Respondent Krueger Family Funeral Home is licensed in the State of Wisconsin as a Funeral Establishment, having license number 78-1421, first issued on 07/01/1972 and current through 05/31/2013. Krueger Family Funeral Home's most recent address on file with the Department is 101 N. 2nd St., Tomahawk, WI 54487.

3. On January 18, 2011, the Department received a self-report from Respondents stating that they had employed an unlicensed funeral director. On February 3, 2011, the Department received an anonymous complaint alleging, in part, that an unlicensed individual worked as a funeral director at Krueger Family Funeral Home.

4. The Department's investigation revealed that an unlicensed individual worked at Respondent Krueger Family Funeral Home as a funeral director from September 2010 until January 2011.

5. Respondents were misled by the unlicensed individual into believing the unlicensed individual was a licensed funeral director.

6. Respondents failed to obtain a copy of the unlicensed individual's funeral director license for posting.

7. Respondents falsely advertised that the unlicensed individual was a funeral director on the website for Krueger Family Funeral Home.

8. Respondent John K. Krueger self-reported the unlicensed practice to the Department immediately following his discovery that the individual was not a licensed funeral director.

9. At all times relevant to this matter, Respondent John K. Krueger was the funeral director in charge of Krueger Family Funeral Home.

10. In resolution of this matter, Respondents John K. Krueger and Krueger Family Funeral Home consent to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Funeral Directors Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 445.13, and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).

2. By the conduct described in the Findings of Fact, Respondents violated Wis. Stat. § 445.12(5) by allowing an unlicensed individual to work as a funeral director.

3. By the conduct described in the Findings of Fact, Respondents violated Wis. Stat. § 445.09 by failing to post the funeral director licenses of all individuals working as funeral directors.

4. By the conduct described in the Findings of Fact, Respondents violated Wis. Stat. § 445.12(4) by falsely advertising on the website for Krueger Family Funeral Home.

5. As a result of the above violations, Respondents John K. Krueger and Krueger Family Funeral Home are subject to discipline pursuant to Wis. Stats. §§ 445.13(1) and 445.105(4).

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The attached Stipulation is hereby accepted.
2. Respondents John K. Krueger and Krueger Family Funeral Home are hereby REPRIMANDED.
3. Within 90 days of the date of this Order, Respondent John K. Krueger shall pay COSTS of this matter in the amount of \$209.00.
4. Within 90 days of the date of this Order, Respondent Krueger Family Funeral Home shall pay COSTS of this matter in the amount of \$209.00.
5. Payment of costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent to the Department Monitor at the address below:

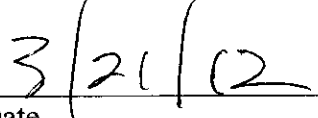
Department Monitor
Division of Enforcement
Department of Safety and Professional Services
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 267-3817, Fax (608) 266-2264

6. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondents' licenses. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondents fail to timely submit payment of the costs as ordered, Respondents' licenses (nos. 77-4297 and 78-1421) may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondents have complied with payment of costs.

7. This Order is effective on the date of its signing.

WISCONSIN FUNERAL DIRECTORS EXAMINING BOARD

by: 
A Member of the Board


Date